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**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Attorney Docket No.:
DIVER1280-14

In re Application of:
William Michael Lafferty

Application No.:
09/894,956

Filed:
June 27, 2001

For:
CAPILLARY ARRAY-BASED SAMPLE
SCREENING

Group Art Unit:
1634

Examiner:
B. J. Forman

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated October 20, 2003 of the Examiner rejecting claims 1-10 and 44.

1.	<input checked="" type="checkbox"/>	Appeal Fee (37 C.F.R. 1.17(b))	
		other than small entity	\$330.00
	<input checked="" type="checkbox"/>	SMALL ENTITY	\$165.00

2.	<input checked="" type="checkbox"/>	A petition and fee for an extension of time for reply to the rejection is attached.					
	<input checked="" type="checkbox"/>	Extension Fee (37 C.F.R. 1.17(a))					
		Other than small entity					
		\$110.00		\$420.00		\$950.00	\$1,480.00
	<input checked="" type="checkbox"/>	SMALL ENTITY					
		\$55.00		\$210.00	<input checked="" type="checkbox"/>	\$475.00	\$740.00

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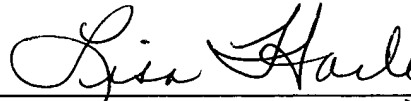
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PATENT
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3.	X	Enclosed is Check No. 557862 in the amount of \$640.00; which consists of \$165.00 for the appeal fee and \$475.00 for the three (3) month extension of time fee. The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment, to Deposit Account No. 50-1355.
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Respectfully submitted,

Date: April 19, 2004



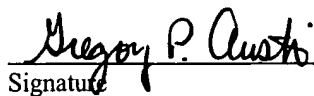
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4365 Executive Drive, Suite 1100
San Diego, CA 92121-2133
USPTO CUSTOMER NO. 28213

CERTIFICATION UNDER 37 CFR § 1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service with sufficient postage as first class mail on this date, **April 19, 2004**, in an envelope addressed to: MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Gregory P. Austin
(Name of person mailing paper)


Signature

April 19, 2004
Date